

## SUBCHAPTER A—INCOME TAX (CONTINUED)

### PART 1—INCOME TAXES (CONTINUED)

#### RELATED RULES

Sec.

- 1.1551-1 Disallowance of surtax exemption and accumulated earnings credit.
- 1.1552-1 Earnings and profits.

#### CERTAIN CONTROLLED CORPORATIONS

- 1.1561-0 Table of contents.
- 1.1561-1 General rules regarding certain tax benefits available to the component members of a controlled group of corporations.
- 1.1561-2 Special rules for allocating reductions of certain section 1561(a) tax-benefit items.
- 1.1561-3 Allocation of the section 1561(a) tax items.
- 1.1563-1 Definition of controlled group of corporations and component members and related concepts.
- 1.1563-2 Excluded stock.
- 1.1563-3 Rules for determining stock ownership.
- 1.1563-4 Franchised corporations.

#### PROCEDURE AND ADMINISTRATION

##### INFORMATION AND RETURNS

###### Returns and Records

###### RECORDS, STATEMENTS, AND SPECIAL RETURNS

- 1.6001-1 Records.
- 1.6001-2 Returns.

###### TAX RETURNS OR STATEMENTS

- 1.6011-1 General requirement of return, statement, or list.
- 1.6011-2 Returns, etc., of DISC's and former DISC's.
- 1.6011-3 Requirement of statement from payees of certain gambling winnings.
- 1.6011-4 Requirement of statement disclosing participation in certain transactions by taxpayers.
- 1.6011-5 Required use of magnetic media for corporate income tax returns.
- 1.6011-6 [Reserved]
- 1.6011-7 Specified tax return preparers required to file individual income tax returns using magnetic media.
- 1.6012-1 Individuals required to make returns of income.
- 1.6012-2 Corporations required to make returns of income.
- 1.6012-3 Returns by fiduciaries.
- 1.6012-4 Miscellaneous returns.

- 1.6012-5 Composite return in lieu of specified form.
- 1.6012-6 Returns by political organizations.
- 1.6013-1 Joint returns.
- 1.6013-2 Joint return after filing separate return.
- 1.6013-3 Treatment of joint return after death of either spouse.
- 1.6013-4 Applicable rules.
- 1.6013-6 Election to treat nonresident alien individual as resident of the United States.
- 1.6013-7 Joint return for year in which nonresident alien becomes resident of the United States.
- 1.6014-1 Tax not computed by taxpayer for taxable years beginning before January 1, 1970.
- 1.6014-2 Tax not computed by taxpayer for taxable years beginning after December 31, 1969.
- 1.6015-0 Table of contents.
- 1.6015-1 Relief from joint and several liability on a joint return.
- 1.6015-2 Relief from liability applicable to all qualifying joint filers.
- 1.6015-3 Allocation of deficiency for individuals who are no longer married, are legally separated, or are not members of the same household.
- 1.6015-4 Equitable relief.
- 1.6015-5 Time and manner for requesting relief.
- 1.6015-6 Nonrequesting spouse's notice and opportunity to participate in administrative proceedings.
- 1.6015-7 Tax Court review.
- 1.6015-8 Applicable liabilities.
- 1.6015-9 Effective date.
- 1.6016-1 Declarations of estimated income tax by corporations.
- 1.6016-2 Contents of declaration of estimated tax.
- 1.6016-3 Amendment of declaration.
- 1.6016-4 Short taxable year.
- 1.6017-1 Self-employment tax returns.

###### INFORMATION RETURNS

- 1.6031(a)-1 Return of partnership income.
- 1.6031(b)-1T Statements to partners (temporary).
- 1.6031(b)-2T REMIC reporting requirements (temporary). [Reserved]
- 1.6031(c)-1T Nominee reporting of partnership information (temporary).
- 1.6031(c)-2T Nominee reporting of REMIC information (temporary). [Reserved]
- 1.6032-1 Returns of banks with respect to common trust funds.
- 1.6033-1 Returns by exempt organizations; taxable years beginning before January 1, 1970.

- 1.6033-2 Returns by exempt organizations (taxable years beginning after December 31, 1969) and returns by certain non-exempt organizations (taxable years beginning after December 31, 1980).
- 1.6033-2T Returns by exempt organizations (taxable years beginning after December 31, 1969) and returns by certain non-exempt organizations (taxable years beginning after December 31, 1980) (temporary).
- 1.6033-3 Additional provisions relating to private foundations.
- 1.6033-4 Required use of magnetic media for returns by organizations required to file returns under section 6033.
- 1.6033-5 Disclosure by tax-exempt entities that are parties to certain reportable transactions.
- 1.6033-6 Notification requirement for entities not required to file an annual information return under section 6033(a)(1) (taxable years beginning after December 31, 2006).
- 1.6034-1 Information returns required of trusts described in section 4947(a)(2) or claiming charitable or other deductions under section 642(c).
- 1.6035-1 Returns of U.S. officers, directors and 10-percent shareholders of foreign personal holding companies for taxable years beginning after September 3, 1982.
- 1.6035-2 Returns of U.S. officers and directors of foreign personal holding companies for taxable years beginning before September 4, 1982.
- 1.6035-3 Returns of 50-percent U.S. shareholders of foreign personal holding companies for taxable years beginning before September 4, 1982.
- 1.6036-1 Notice of qualification as executor or receiver.
- 1.6037-1 Return of electing small business corporation.
- 1.6037-2 Required use of magnetic media for income tax returns of electing small business corporations.
- 1.6038-1 Information returns required of domestic corporations with respect to annual accounting periods of certain foreign corporations beginning before January 1, 1963.
- 1.6038-2 Information returns required of United States persons with respect to annual accounting periods of certain foreign corporations beginning after December 31, 1962.
- 1.6038-3 Information returns required of certain United States persons with respect to controlled foreign partnerships (CFPs).
- 1.6038A-0 Table of contents.
- 1.6038A-1 General requirements and definitions.
- 1.6038A-2 Requirement of return.
- 1.6038A-3 Record maintenance.
- 1.6038A-4 Monetary penalty.
- 1.6038A-5 Authorization of agent.
- 1.6038A-6 Failure to furnish information.
- 1.6038A-7 Noncompliance.
- 1.6038B-1 Reporting of certain transfers to foreign corporations.
- 1.6038B-1T Reporting of certain transactions to foreign corporations (temporary).
- 1.6038B-2 Reporting of certain transfers to foreign partnerships.
- 1.6039-1 Returns required in connection with certain options.
- 1.6039-2 Statements to persons with respect to whom information is reported.
- 1.6039I-1 Reporting of certain employer-owned life insurance contracts.
- 1.6041-1 Return of information as to payments of \$600 or more.
- 1.6041-2 Return of information as to payments to employees.
- 1.6041-3 Payments for which no return of information is required under section 6041.
- 1.6041-4 Foreign-related items and other exceptions.
- 1.6041-5 Information as to actual owner.
- 1.6041-6 Returns made on Forms 1096 and 1099 under section 6041; contents and time and place for filing.
- 1.6041-7 Magnetic media requirement.
- 1.6041-8 Cross-reference to penalties.
- 1.6041-9 Coordination with reporting rules for widely held fixed investment trusts under §1.671-5.
- 1.6041A-1 Returns regarding payments of remuneration for services and certain direct sales.
- 1.6042-1 Return of information as to dividends paid in calendar years before 1963.
- 1.6042-2 Returns of information as to dividends paid.
- 1.6042-3 Dividends subject to reporting.
- 1.6042-4 Statements to recipients of dividend payments.
- 1.6042-5 Coordination with reporting rules for widely held fixed investment trusts under §1.671-5.
- 1.6043-1 Return regarding corporate dissolution or liquidation.
- 1.6043-2 Return of information respecting distributions in liquidation.
- 1.6043-3 Return regarding liquidation, dissolution, termination, or substantial contraction of organizations exempt from taxation under section 501(a).
- 1.6043-3T Returns regarding liquidation, dissolution, termination, or substantial contraction of organizations exempt from taxation under section 501(a) (temporary).
- 1.6043-4 Information returns relating to certain acquisitions of control and changes in capital structure.
- 1.6044-1 Returns of information as to patronage dividends with respect to patronage occurring in taxable years beginning before 1963.

## Internal Revenue Service, Treasury

## Pt. 1

- 1.6044-2 Returns of information as to payments of patronage dividends.
- 1.6044-3 Amounts subject to reporting.
- 1.6044-4 Exemption for certain consumer co-operatives.
- 1.6044-5 Statements to recipients of patronage dividends.
- 1.6045-1 Returns of information of brokers and barter exchanges.
- 1.6045-1T Returns of information of brokers and barter exchanges (temporary).
- 1.6045-2 Furnishing statement required with respect to certain substitute payments.
- 1.6045-2T Furnishing statement required with respect to certain substitute payments (temporary).
- 1.6045-3 Information reporting for an acquisition of control or a substantial change in capital structure.
- 1.6045-4 Information reporting on real estate transactions with dates of closing on or after January 1, 1991.
- 1.6045A-1 Statements of information required in connection with transfers of securities.
- 1.6045B-1 Returns relating to actions affecting basis of securities.
- 1.6045-5 Information reporting on payments to attorneys.
- 1.6046-1 Returns as to organization or reorganization of foreign corporations and as to acquisitions of their stock.
- 1.6046A-1 Return requirement for United States persons who acquire or dispose of an interest in a foreign partnership, or whose proportional interest in a foreign partnership changes substantially.
- 1.6046-2 Returns as to foreign corporations which are created or organized, or reorganized, on or after September 15, 1960, and before January 1, 1963.
- 1.6046-3 Returns as to formation or reorganization of foreign corporations prior to September 15, 1960.
- 1.6047-1 Information to be furnished with regard to employee retirement plan covering an owner-employee.
- 1.6049-1 Returns of information as to interest paid in calendar years before 1983 and original issue discount includible in gross income for calendar years before 1983.
- 1.6049-2 Interest and original issue discount subject to reporting in calendar years before 1983.
- 1.6049-3 Statements to recipients of interest payments and holders of obligations to which there is attributed original issue discount in calendar years before 1983.
- 1.6049-4 Return of information as to interest paid and original issue discount includible in gross income after December 31, 1982.
- 1.6049-5 Interest and original issue discount subject to reporting after December 31, 1982.
- 1.6049-5T Reporting by brokers of interest and original issue discount on and after January 1, 1986 (temporary).
- 1.6049-6 Statements to recipients of interest payments and holders of obligations for attributed original issue discount.
- 1.6049-7 Returns of information with respect to REMIC regular interests and collateralized debt obligations.
- 1.6049-7T Market discount fraction reported with other financial information with respect to REMICs and collateralized debt obligations (temporary).
- 1.6049-8 Interest and original issue discount paid to residents of Canada.
- 1.6050A-1 Reporting requirements of certain fishing boat operators.
- 1.6050B-1 Information returns by person making unemployment compensation payments.
- 1.6050D-1 Information returns relating to energy grants and financing.
- 1.6050E-1 Reporting of State and local income tax refunds.
- 1.6050H-0 Table of contents.
- 1.6050H-1 Information reporting of mortgage interest received in a trade or business from an individual.
- 1.6050H-1T Information reporting of mortgage interest received in a trade or business from individuals after 1985 and before 1988 (temporary).
- 1.6050H-2 Time, form, and manner of reporting interest received on qualified mortgage.
- 1.6050H-3T Information reporting of mortgage insurance premiums (temporary).
- 1.6050I-0 Table of contents.
- 1.6050I-1 Returns relating to cash in excess of \$10,000 received in a trade or business.
- 1.6050I-2 Returns relating to cash in excess of \$10,000 received as bail by court clerks.
- 1.6050J-1T Questions and answers concerning information returns relating to foreclosures and abandonments of security (temporary).
- 1.6050K-1 Returns relating to sales or exchanges of certain partnership interests.
- 1.6050L-1 Information return by donees relating to certain dispositions of donated property.
- 1.6050L-2 Information returns by donees relating to qualified intellectual property contributions.
- 1.6050M-1 Information returns relating to persons receiving contracts from certain Federal executive agencies.
- 1.6050N-1 Statements to recipients of royalties paid after December 31, 1986.
- 1.6050N-2 Coordination with reporting rules for widely held fixed investment trusts under §1.671-5.
- 1.6050P-0 Table of contents.
- 1.6050P-1 Information reporting for discharges of indebtedness by certain entities.

**Pt. 1**

**26 CFR Ch. I (4–1–11 Edition)**

- 1.6050P–2 Organization a significant trade or business of which is the lending of money.
- 1.6050S–0 Table of contents.
- 1.6050S–1 Information reporting for qualified tuition and related expenses.
- 1.6050S–2 Information reporting for payments and reimbursements or refunds of qualified tuition and related expenses.
- 1.6050S–3 Information reporting for payments of interest on qualified education loans.
- 1.6050S–4 Information reporting for payments of interest on qualified education loans.
- 1.6050W–1 Information reporting for payments made in settlement of payment card and third party network transactions.
- 1.6050W–2 Electronic furnishing of information statements for payments made in settlement of payment card and third party network transactions.
- 1.6052–1 Information returns regarding payment of wages in the form of group-term life insurance.
- 1.6052–2 Statements to be furnished employees with respect to wages paid in the form of group-term life insurance.
- 1.6060–1 Reporting requirements for tax return preparers.

**SIGNING AND VERIFYING OF RETURNS AND OTHER DOCUMENTS**

- 1.6061–1 Signing of returns and other documents by individuals.
- 1.6062–1 Signing of returns, statements, and other documents made by corporations.
- 1.6063–1 Signing of returns, statements, and other documents made by partnerships.
- 1.6065–1 Verification of returns.

**TIME FOR FILING RETURNS AND OTHER DOCUMENTS**

- 1.6071–1 Time for filing returns and other documents.
- 1.6072–1 Time for filing returns of individuals, estates, and trusts.
- 1.6072–2 Time for filing returns of corporations.
- 1.6072–3 Income tax due dates postponed in case of China Trade Act corporations.
- 1.6072–4 Time for filing other returns of income.
- 1.6073–1 Time and place for filing declarations of estimated income tax by individuals.
- 1.6073–2 Fiscal years.
- 1.6073–3 Short taxable years.
- 1.6073–4 Extension of time for filing declarations by individuals.
- 1.6074–1 Time and place for filing declarations of estimated income tax by corporations.
- 1.6074–2 Time for filing declarations by corporations in case of a short taxable year.

- 1.6074–3 Extension of time for filing declarations by corporations.

**EXTENSION OF TIME FOR FILING RETURNS**

- 1.6081–1 Extension of time for filing returns.
- 1.6081–2T Automatic extension of time to file certain returns filed by partnerships (temporary).
- 1.6081–3 Automatic extension of time for filing corporation income tax returns.
- 1.6081–4 Automatic extension of time for filing individual income tax return.
- 1.6081–5 Extensions of time in the case of certain partnerships, corporations and U.S. citizens and residents.
- 1.6081–6T Automatic extension of time to file estate or trust income tax return (temporary).
- 1.6081–7 Automatic extension of time to file Real Estate Mortgage Investment Conduit (REMIC) income tax return.
- 1.6081–8 Automatic extension of time to file certain information returns.
- 1.6081–9 Automatic extension of time to file exempt organization returns.
- 1.6081–10 Automatic extension of time to file withholding tax return for U.S. source income of foreign persons.
- 1.6081–11 Automatic extension of time for filing certain employee plan returns.

**PLACE FOR FILING RETURNS OR OTHER DOCUMENTS**

- 1.6091–1 Place for filing returns or other documents.
- 1.6091–2 Place for filing income tax returns.
- 1.6091–3 Filing certain international income tax returns.
- 1.6091–4 Exceptional cases.

**MISCELLANEOUS PROVISIONS**

- 1.6102–1 Computations on returns or other documents.
- 1.6107–1 Tax return preparer must furnish copy of return or claim for refund to taxpayer and must retain a copy or record.
- 1.6107–2 Form and manner of furnishing copy of return and retaining copy or record.
- 1.6109–1 Identifying numbers.
- 1.6109–2 Tax return preparers furnishing identifying numbers for returns or claims for refund and related requirements.
- 1.6115–1 Disclosure requirements for quid pro quo contributions.

**REGULATIONS APPLICABLE TO RETURNS OR CLAIMS FOR REFUND FILED PRIOR TO JANUARY 1, 2000**

- 1.6109–2A Furnishing identifying number of income tax return preparer.

## Internal Revenue Service, Treasury

## Pt. 1

### TIME AND PLACE FOR PAYING TAX

#### PLACE AND DUE DATE FOR PAYMENT OF TAX

- 1.6151-1 Time and place for paying tax shown on returns.
- 1.6153-1 Payment of estimated tax by individuals.
- 1.6153-2 Fiscal years.
- 1.6153-3 Short taxable years.
- 1.6153-4 Extension of time for paying the estimated tax.

#### EXTENSIONS OF TIME FOR PAYMENT

- 1.6161-1 Extension of time for paying tax or deficiency.
- 1.6162-1 Extension of time for payment of tax on gain attributable to liquidation of personal holding companies.
- 1.6164-1 Extensions of time for payment of taxes by corporations expecting carrybacks.
- 1.6164-2 Amount of tax the time for payment of which may be extended.
- 1.6164-3 Computation of the amount of reduction of the tax previously determined.
- 1.6164-4 Payment of remainder of tax where extension relates to only part of the tax.
- 1.6164-5 Period of extension.
- 1.6164-6 Revised statements.
- 1.6164-7 Termination by district director.
- 1.6164-8 Payments on termination.
- 1.6164-9 Cross references.
- 1.6165-1 Bonds where time to pay the tax or deficiency has been extended.

### COLLECTION

#### GENERAL PROVISIONS

- 1.6302-1 Deposit rules for corporation income and estimated income taxes and certain taxes of tax-exempt organizations.
- 1.6302-2 Deposit rules for tax withheld on nonresident aliens and foreign corporations.
- 1.6302-3 Deposit rules for estimated taxes of certain trusts.
- 1.6302-4 Voluntary payments by electronic funds transfer.
- 1.6361-1 Collection and administration of qualified State individual income taxes.

#### ABATEMENTS, CREDITS, AND REFUNDS

- 1.6411-1 Tentative carryback adjustments.
- 1.6411-2 Computation of tentative carryback adjustment.
- 1.6411-3 Allowance of adjustments.
- 1.6411-4 Consolidated groups.
- 1.6414-1 Credit or refund of tax withheld on nonresident aliens and foreign corporations.
- 1.6425-1 Adjustment of overpayment of estimated income tax by corporation.
- 1.6425-2 Computation of adjustment of overpayment of estimated tax.
- 1.6425-3 Allowance of adjustments.

### ADDITIONS TO THE TAX, ADDITIONAL AMOUNTS, AND ASSESSABLE PENALTIES

- 1.6654-1 Addition to the tax in the case of an individual.
- 1.6654-2 Exceptions to imposition of the addition to the tax in the case of individuals.
- 1.6654-2T Exceptions to imposition of the addition to the tax in the case of individuals (temporary).
- 1.6654-3 Short taxable years of individuals.
- 1.6654-4 Waiver of penalty for underpayment of 1971 estimated tax by an individual.
- 1.6654-5 Payments of estimated tax.
- 1.6654-6 Nonresident alien individuals.
- 1.6654-7 Applicability.
- 1.6655-0 Table of contents.
- 1.6655-1 Addition to the tax in the case of a corporation.
- 1.6655-2 Annualized income installment method.
- 1.6655-2T Safe harbor for certain installments of tax due before July 1, 1987 (temporary).
- 1.6655-3 Adjusted seasonal installment method.
- 1.6655-4 Large corporations.
- 1.6655-5 Short taxable year.
- 1.6655-6 Methods of accounting.
- 1.6655-7 Addition to tax on account of excessive adjustment under section 6425.
- 1.6655(e)-1 Time and manner for making election under the Omnibus Budget Reconciliation Act of 1993.
- 1.6662-0 Table of contents.
- 1.6662-1 Overview of the accuracy-related penalty.
- 1.6662-2 Accuracy-related penalty.
- 1.6662-3 Negligence or disregard of rules or regulations.
- 1.6662-4 Substantial understatement of income tax.
- 1.6662-5 Substantial and gross valuation misstatements under chapter 1.
- 1.6662-5T Substantial and gross valuation misstatements under chapter 1 (temporary).
- 1.6662-6 Transactions between persons described in section 482 and net section 482 transfer price adjustments.
- 1.6662-7 Omnibus Budget Reconciliation Act of 1993 changes to the accuracy-related penalty.
- 1.6664-0 Table of contents.
- 1.6664-1 Accuracy-related and fraud penalties; definitions, effective date and special rules.
- 1.6664-2 Underpayment.
- 1.6664-3 Ordering rules for determining the total amount of penalties imposed.
- 1.6664-4 Reasonable cause and good faith exception to section 6662 penalties.
- 1.6664-4T Reasonable cause and good faith exception to section 6662 penalties.

**Pt. 1**

**26 CFR Ch. I (4–1–11 Edition)**

- 1.6694-0 Table of contents.
- 1.6694-1 Section 6694 penalties applicable to tax return preparers.
- 1.6694-2 Penalty for understatement due to an unreasonable position.
- 1.6694-3 Penalty for understatement due to willful, reckless, or intentional conduct.
- 1.6694-4 Extension of period of collection when tax return preparer pays 15 percent of a penalty for understatement of taxpayer's liability and certain other procedural matters.
- 1.6695-1 Other assessable penalties with respect to the preparation of tax returns for other persons.
- 1.6695-2 Tax return preparer due diligence requirements for determining earned income credit eligibility.
- 1.6696-1 Claims for credit or refund by tax return preparers or appraisers.
- 1.6709-1T Penalties with respect to mortgage credit certificates (temporary).

**JEOPARDY, BANKRUPTCY, AND  
RECEIVERSHIPS**

- 1.6851-1 Termination assessments of income tax.
- 1.6851-2 Certificates of compliance with income tax laws by departing aliens.
- 1.6851-3 Furnishing of bond to insure payment; cross reference.

**THE TAX COURT**

**Declaratory Judgements Relating to  
Qualification of Certain Retirement Plans**

- 1.7476-1 Interested parties.
- 1.7476-2 Notice to interested parties.
- 1.7476-3 Notice of determination.
- 1.7519-0T Table of contents (temporary).
- 1.7519-1T Required payments for entities electing not to have required year (temporary).
- 1.7519-2T Required payments—procedures and administration (temporary).
- 1.7519-3T Effective date (temporary).

**GENERAL ACTUARIAL VALUATIONS**

- 1.7520-1 Valuation of annuities, unitrust interests, interests for life or terms of years, and remainder or reversionary interests prior to May 1, 2009.
- 1.7520-1T Valuation of annuities, unitrust interests, interests for life or terms of years, and remainder or reversionary interests on or after May 1, 2009 (temporary).
- 1.7520-2 Valuation of charitable interests.
- 1.7520-3 Limitation on the application of section 7520.
- 1.7520-4 Transitional rules.
- 1.7701(l)-0 Table of contents.
- 1.7701(l)-1 Conduit financing arrangements.
- 1.7701(l)-3 Recharacterizing financing arrangements involving fast-pay stock.
- 1.7702-0 Table of contents.

- 1.7702-2 Attained age of the insured under a life insurance contract.
- 1.7702B-1 Consumer protection provisions.
- 1.7702B-2 Special rules for pre-1997 long-term care insurance contracts.
- 1.7703-1 Determination of marital status.
- 1.7704-1 Publicly traded partnerships.
- 1.7704-2 Transition provisions.
- 1.7704-3 Qualifying income.
- 1.7872-1–1.7872-4 [Reserved]
- 1.7872-5 Exempted loans.
- 1.7872-5T Exempted loans (temporary).
- 1.7872-15 Split-dollar loans.
- 1.7872-16 Loans to an exchange facilitator under §1.468B-6.
- 1.7874-1 Disregard of affiliate-owned stock.
- 1.7874-1T Disregard of affiliate-owned stock (temporary).
- 1.7874-2T Surrogate foreign corporation (temporary).

**PUBLIC LAW 74, 84TH CONGRESS**

- 1.9000-1 Statutory provisions.
- 1.9000-2 Effect of repeal in general.
- 1.9000-3 Requirement of statement showing increase in tax liability.
- 1.9000-4 Form and content of statement.
- 1.9000-5 Effect of filing statement.
- 1.9000-6 Provisions for the waiver of interest.
- 1.9000-7 Provisions for estimated tax.
- 1.9000-8 Extension of time for making certain payments.

**RETIREMENT-STRAIGHT LINE  
ADJUSTMENT ACT OF 1958**

- 1.9001 Statutory provisions; Retirement-Straight Line Adjustment Act of 1958.
- 1.9001-1 Change from retirement to straight-line method of computing depreciation.
- 1.9001-2 Basis adjustments for taxable years beginning on or after 1956 adjustment date.
- 1.9001-3 Basis adjustments for taxable years between changeover date and 1956 adjustment date.
- 1.9001-4 Adjustments required in computing excess-profits credit.

**DEALER RESERVE INCOME  
ADJUSTMENT ACT OF 1960**

- 1.9002 Statutory provisions; Dealer Reserve Income Adjustment Act of 1960 (74 Stat. 124).
- 1.9002-1 Purpose, applicability, and definitions.
- 1.9002-2 Election to have the provisions of section 481 of the Internal Revenue Code of 1954 apply.
- 1.9002-3 Election to have the provisions of section 481 of the Internal Revenue Code of 1954 not apply.
- 1.9002-4 Election to pay net increase in tax in installments.
- 1.9002-5 Special rules relating to interest.

## Internal Revenue Service, Treasury

## Pt. 1

- 1.9002-6 Acquiring corporation.
- 1.9002-7 Statute of limitations.
- 1.9002-8 Manner of exercising elections.

### PUBLIC DEBT AND TAX RATE EXTENSION ACT OF 1960

- 1.9003 Statutory provisions; section 4 of the Act of September 14, 1960 (Pub. L. 86-781, 74 Stat. 1017).
- 1.9003-1 Election to have the provisions of section 613(c)(2) and (4) of the 1954 Code, as amended, apply for past years.
- 1.9003-2 Effect of election.
- 1.9003-3 Statutes of limitation.
- 1.9003-4 Manner of exercising election.
- 1.9003-5 Terms; applicability of other laws.

### CERTAIN BRICK AND TILE CLAY, FIRE CLAY, AND SHALE; REGULATIONS UNDER THE ACT OF SEPTEMBER 26, 1961

- 1.9004 Statutory provisions; the Act of September 26, 1961 (Pub. L. 87-312, 75 Stat. 674).
- 1.9004-1 Election relating to the determination of gross income from the property for taxable years beginning prior to 1961 in the case of certain clays and shale.
- 1.9004-2 Effect of election.
- 1.9004-3 Statutes of limitation.
- 1.9004-4 Manner of exercising election.
- 1.9004-5 Terms; applicability of other laws.

### QUARTZITE AND CLAY USED IN PRODUCTION OF REFRACTORY PRODUCTS; ELECTION FOR PRIOR TAXABLE YEARS

- 1.9005 Statutory provisions; section 2 of the Act of September 26, 1961 (Pub. L. 87-321, 75 Stat. 683).
- 1.9005-1 Election relating to the determination of gross income from the property for taxable years beginning prior to 1961 in the case of clay and quartzite used in making refractory products.
- 1.9005-2 Effect of election.
- 1.9005-3 Statutes of limitation.
- 1.9005-4 Manner of exercising election.
- 1.9005-5 Terms; applicability of other laws.

### TAX REFORM ACT OF 1969

- 1.9006 Statutory provisions; Tax Reform Act of 1969.
- 1.9006-1 Interest and penalties in case of certain taxable years.

### MISCELLANEOUS PROVISIONS

- 1.9101-1 Permission to submit information required by certain returns and statements on magnetic tape.
- 1.9200-1 Deduction for motor carrier operating authority.
- 1.9200-2 Manner of taking deduction.
- 1.9300-1 Reduction in taxable income for housing displaced individuals.

AUTHORITY: 26 U.S.C. 7805, unless otherwise noted.

Section 1.1561-2 also issued under 26 U.S.C. 1561.

Section 1.6011-4T also issued under 26 U.S.C. 6001 and 6011(a).

Section 1.6011-4T also issued under 26 U.S.C. 6011.

Section 1.6011-6 also issued under 26 U.S.C. 6011(a).

Section 1.6011-7 also issued under 26 U.S.C. 6011(e).

Section 1.6012-2 is also issued under the authority of 26 U.S.C. 6011 and 6012.

Section 1.6013-6 also issued under 26 U.S.C. 7701(b)(11).

Section 1.6015-1 also issued under 26 U.S.C. 6015(h).

Section 1.6015-2 also issued under 26 U.S.C. 6015(h).

Section 1.6015-3 also issued under 26 U.S.C. 6015(h).

Section 1.6015-4 also issued under 26 U.S.C. 6015(h).

Section 1.6015-5 also issued under 26 U.S.C. 6015(h).

Section 1.6015-6 also issued under 26 U.S.C. 6015(h).

Section 1.6015-7 also issued under 26 U.S.C. 6015(h).

Section 1.6015-8 also issued under 26 U.S.C. 6015(h).

Section 1.6015-9 also issued under 26 U.S.C. 6015(h).

Section 1.6031(a)-1 also issued under section 404 of the Tax Equity and Fiscal Responsibility Act of 1982 (Public Law 97-248; 96 Stat. 324, 669) (TEFRA).

Section 1.6033-6 also issued under 26 U.S.C. 6033(i)(1).

Sections 1.6035-1 through 1.6035-3 also issued under 26 U.S.C. 6035 (a), (d), and (e).

Section 1.6038-2 also issued under 26 U.S.C. 6038.

Section 1.6038-3 also issued under 26 U.S.C. 6038.

Section 1.6038A-1 also issued under 26 U.S.C. 6038A.

Section 1.6038A-2 also issued under 26 U.S.C. 6038A.

Section 1.6038A-3 also issued under 26 U.S.C. 6038A and 7701(l).

Section 1.6038A-4 also issued under 26 U.S.C. 6038A.

Section 1.6038A-5 also issued under 26 U.S.C. 6038A.

Section 1.6038A-6 also issued under 26 U.S.C. 6038A.

Section 1.6038A-7 also issued under 26 U.S.C. 6038A.

Section 1.6038B-1 also issued under 26 U.S.C. 6038B.

Section 1.6038B-1T also issued under 26 U.S.C. 6038B.

Section 1.6038B-2 also issued under 26 U.S.C. 6038B.

**Pt. 1**

**26 CFR Ch. I (4–1–11 Edition)**

Section 1.6039I-1 also issued under 26 U.S.C. 6039I.

Section 1.6041-1 also issued under 26 U.S.C. 6041(a).

Section 1.6041-2 also issued under 26 U.S.C. 6041(d).

Section 1.6041-3 also issued under 26 U.S.C. 62 and 6041(a).

Section 1.6042-3 also issued under 26 U.S.C. 6045.

Section 1.6043-4 also issued under 26 U.S.C. 6043(c).

Section 1.6045-1 also issued under 26 U.S.C. 6045.

Section 1.6045-2 also issued under 26 U.S.C. 6045.

Section 1.6045-3 also issued under 26 U.S.C. 6045.

Section 1.6045-4 also issued under 26 U.S.C. 6045.

Section 1.6045A-1 also issued under 26 U.S.C. 6045A(a), (b), (c).

Section 1.6045B-1 also issued under 26 U.S.C. 6045B(a), (c), (e).

Section 1.6046A-1 also issued under 26 U.S.C. 6046A.

Section 1.6049-4 also issued under 26 U.S.C. 6049 (a), (b), and (d).

Section 1.6049-5 also issued under 26 U.S.C. 6049 (a), (b), and (d).

Section 1.6049-5T also issued under 26 U.S.C. 6049.

Section 1.6049-6 also issued under 6049(a), (b), and (d).

Section 1.6049-7 also issued under 26 U.S.C. 860G(e), 1275(c) and 26 U.S.C. 6049(d)(7)(D).

Section 1.6050E-1 also issued under 26 U.S.C. 6050E.

Section 1.6050H-1 also issued under 26 U.S.C. 6050H.

Section 1.6050H-1T also issued under 26 U.S.C. 6050H.

Section 1.6050H-2 also issued under 26 U.S.C. 6050H.

Section 1.6050I-1 also issued under 26 U.S.C. 6050I.

Section 1.6050I-2 also issued under 26 U.S.C. 6050I.

Section 1.6050K-1 also issued under 26 U.S.C. 6050K.

Section 1.6050M-1 also issued under 26 U.S.C. 6050M.

Section 1.6050P-1 also issued under 26 U.S.C. 6050P.

Section 1.6050P-2 also issued under 26 U.S.C. 6050P.

Section 1.6050S-1 also issued under 26 U.S.C. 6050S(g).

Section 1.6050S-2 also issued under 26 U.S.C. 6050S(g).

Section 1.6050S-3 also issued under 26 U.S.C. 6050S(g).

Section 1.6050S-4 also issued under 26 U.S.C. 6050S(g).

Section 1.6060-1 also issued under 26 U.S.C. 6060(a).

Section 1.6061-2T also issued under 26 U.S.C. 6061.

Section 1.6065-2T also issued under 26 U.S.C. 6065.

Section 1.6081-1 also issued under 26 U.S.C. 6081.

Section 1.6081-2T also issued under 26 U.S.C. 6081.

Section 1.6081-3 also issued under 26 U.S.C. 6081.

Section 1.6081-4 also issued under 26 U.S.C. 6081.

Section 1.6081-5 also issued under 26 U.S.C. 6081.

Section 1.6081-6T also issued under 26 U.S.C. 6081.

Section 1.6081-7 also issued under 26 U.S.C. 6081.

Section 1.6081-8 also issued under 26 U.S.C. 6081(a).

Section 1.6081-9 also issued under 26 U.S.C. 6081(a).

Section 1.6081-10 also issued under 26 U.S.C. 6081.

Section 1.6081-11 also issued under 26 U.S.C. 6081.

Section 1.6109-2 also issued under 26 U.S.C. 6109(a).

Sections 1.6302-1, 1.6302-2, 1.6302-3 and 1.6302-4 also issued under 26 U.S.C. 6302(h).

Section 1.6411-4 also issued under 26 U.S.C. 6402(i) and 6411(c).

Section 1.6655-5 also issued under 26 U.S.C. 6655(i)(2).

Section 1.6662-6 also issued under 26 U.S.C. 6662.

Section 1.6695-1 also issued under 26 U.S.C. 6060(b) and 6695(b).

Section 1.6695-1 also issued under 26 U.S.C. 6695(b).

Section 1.6695-2 also issued under 26 U.S.C. 6695(g).

Section 1.6695-2 also issued under 26 U.S.C. 6695(g).

Section 1.6851-2 also issued under 26 U.S.C. 6851(d).

Section 1.7520-1 also issued under 26 U.S.C. 7520(c)(2).

Section 1.7520-1T also issued under 26 U.S.C. 7520(c)(2).

Section 1.7520-2 also issued under 26 U.S.C. 7520(c)(2).

Section 1.7520-3 also issued under 26 U.S.C. 7520(c)(2).

Section 1.7520-4 also issued under 26 U.S.C. 7520(c)(2).

Section 1.7701(l)-1 also issued under 26 U.S.C. 7701(l).

Section 1.7701(l)-3 also issued under 26 U.S.C. 7701(l).

Section 1.7702-2 also issued under 26 U.S.C. 7702(k).

Section 1.7872-5T also issued under 26 U.S.C. 7872.

Section 1.7872-15 also issued under 26 U.S.C. 1275 and 7872.



## Internal Revenue Service, Treasury

## § 1.1551-1

Section 1.7874-1 also issued under 26 U.S.C. 7874(c)(6) and (g).

Section 1.7874-1T also issued under 26 U.S.C. 7874(c)(6) and (g).

SOURCE: Sections 1.1401-1 through 1.1403-1 contained in T.D. 6691, 28 FR 12796, Dec. 3, 1963, unless otherwise noted.

### RELATED RULES

#### § 1.1551-1 Disallowance of surtax exemption and accumulated earnings credit.

(a) *In general.* If:

(1) Any corporation transfers, on or after January 1, 1951, and before June 13, 1963, all or part of its property (other than money) to a transferee corporation,

(2) Any corporation transfers, directly or indirectly, after June 12, 1963, all or part of its property (other than money) to a transferee corporation, or

(3) Five or fewer individuals are in control of a corporation and one or more of them transfer, directly or indirectly, after June 12, 1963, property (other than money) to a transferee corporation, and the transferee was created for the purpose of acquiring such property or was not actively engaged in business at the time of such acquisition, and if after such transfer the transferor or transferors are in control of the transferee during any part of the taxable year of the transferee, then for such taxable year of the transferee the Secretary or his delegate may disallow the surtax exemption defined in section 11(d) or the accumulated earnings credit of \$150,000 (\$100,000 in the case of taxable years beginning before January 1, 1975) provided in paragraph (2) or (3) of section 535(c), unless the transferee establishes by the clear preponderance of the evidence that the securing of such exemption or credit was not a major purpose of the transfer.

(b) *Purpose of section 1551.* The purpose of section 1551 is to prevent avoidance or evasion of the surtax imposed by section 11(c) or of the accumulated earnings tax imposed by section 531. It is not intended, however, that section 1551 be interpreted as delimiting or abrogating any principle of law established by judicial decision, or any existing provisions of the Code, such as sections 269 and 482, which have the ef-

fect of preventing the avoidance or evasion of income taxes. Such principles of law and such provisions of the Code, including section 1551, are not mutually exclusive, and in appropriate cases they may operate together or they may operate separately.

(c) *Application of section 269(b) to cases covered by section 1551.* The provisions of section 269(b) and the authority of the district director thereunder, to the extent not inconsistent with the provisions of section 1551, are applicable to cases covered by section 1551. Pursuant to the authority provided in section 269(b) the district director may allow to the transferee any part of a surtax exemption or accumulated earnings credit for a taxable year for which such exemption or credit would otherwise be disallowed under section 1551(a); or he may apportion such exemption or credit among the corporations involved. For example, corporation A transfers on January 1, 1955, all of its property to corporations B and C in exchange for all of the stock of such corporations. Immediately thereafter, corporation A is dissolved and its stockholders become the sole stockholders of corporations B and C. Assuming that corporations B and C are unable to establish by the clear preponderance of the evidence that the securing of the surtax exemption defined in section 11(d) or the accumulated earnings credit provided in section 535, or both, was not a major purpose of the transfer, the district director is authorized under sections 1551(c) and 269(b) to allow one such exemption and credit and to apportion such exemption and credit between corporations B and C.

(d) *Actively engaged in business.* For purposes of this section, a corporation maintaining an office for the purpose of preserving its corporate existence is not considered to be “actively engaged in business” even though such corporation may be deemed to be “doing business” for other purposes. Similarly, for purposes of this section, a corporation engaged in winding up its affairs, prior to an acquisition to which section 1551 is applicable, is not considered to be “actively engaged in business.”

(e) *Meaning and application of the term “control”*—(1) *In general.* For purposes